

**DECLARATION FOR PATENT APPLICATION AND POWER OF ATTORNEY**

(Under 37 CFR § 1.63; includes reference to PCT International Applications)

**FROMMER LAWRENCE & HAUG LLP**

File No.:

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention ENTITLED: LANTIBIOTIC, the specification of which ☐ is attached hereto ☐ was filed on \_\_\_\_\_ as ☐ United States ☐ PCT Application No. \_\_\_\_\_, with amendments through \_\_\_\_\_ (if applicable, give details).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code § 119 of any foreign application(s) for patent or inventor's certificate or of any PCT International application(s) designating at least one country other than the United State of America listed below and have also identified below any foreign application for patent or inventor's certificate or any PCT International applications designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) on which priority is claimed:

Prior Foreign/PCT Application(s) [list additional applications on separate page]:

<u>Country (or PCT)</u>	<u>Application Number:</u>	<u>Filed (Day/Month/Year)</u>	<u>Priority Claimed:</u>	
			<u>Yes</u>	<u>No</u>
New Zealand	500261	12 October 1999	X	<input type="checkbox"/>

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States application listed below:

<u>(Application Number)</u>	<u>(Filing Date)</u>
-----------------------------	----------------------

I hereby claim the benefit under Title 35, United States Code § 120 of any United States application(s) or PCT international application(s) designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior application(s) in the manner provided by the first paragraph of Title 35, United States Code § 112, I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

Prior U.S. (or U.S.-designating PCT) Application(s) [list additional applications on separate page]:

<u>U.S. Serial No.:</u>	<u>Filed (Day/Month/Year)</u>	<u>PCT Application No.</u>	<u>Status (patented, pending, abandoned)</u>
	12 October 2000	PCT/NZ00/00197	Pending

I hereby appoint \_\_\_\_\_, Registration No. \_\_\_\_\_, and Frommer Lawrence & Haug LLP, or their duly appointed associate, my attorneys, with full power of substitution and revocation, to prosecute this application, to make alterations and amendments therein, to file continuation and divisional applications

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AND POWER OF ATTORNEY (Under 37 CFR § 1.63)

FLH Docket No.

thereof, to receive the Patent, and to transact all business in the Patent and Trademark Office and in the Courts in connection therewith, and specify that all communications about the application are to be directed to the following correspondence address:

, Esq.  
c/o FROMMER LAWRENCE & HAUG LLP  
745 Fifth Avenue  
New York, NY 10151

Direct all telephone calls to: (212) 588-0800  
to the attention of:

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

INVENTOR(S):

Signature: \_\_\_\_\_  
Full name of sole or first inventor:  
JOHN ROBERT TAGG  
Residence: 39 Braeview Crescent, Dunedin, New Zealand  
Citizenship: Australia

Date: \_\_\_\_\_

Signature: Karen Patricia Dierksen  
Full name of 2nd joint inventor (if any):  
KAREN PATRICIA DIERKSEN  
Residence: c/o- 3450 SW Campus Way, Corvallis, OR 97331-8539,  
United States of America  
Citizenship: United States

Date: October 4, 2001

Signature: \_\_\_\_\_  
Full name of 3rd joint inventor (if any):  
MATHEW UPTON  
Residence: Flat 1, 15 Peacock Street, Christchurch, New Zealand  
Citizenship: Britain

Date: \_\_\_\_\_

Post Office Address(es) of inventors [if different from residence]:

NOTE: In order to qualify for reduced fees available to Small Entities, each inventor and any other individual or entity having rights to the invention must also sign an appropriate separate "Verified Statement (Declaration) Claiming [or Supporting a Claim by Another for] Small Entity Status" form [e.g. for Independent Inventor, Small Business Concern, Nonprofit Organization, Individual Non-Inventor].

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<u>Country (or PCT)</u>	<u>Application Number:</u>	<u>Filed (Day/Month/Year)</u>	<u>Priority Claimed:</u>	
			<u>Yes</u>	<u>No</u>
New Zealand	500261	12 October 1999	X	<input type="checkbox"/>

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<u>U.S. Serial No.:</u>	<u>Filed (Day/Month/Year)</u>	<u>PCT Application No.</u>	<u>Status (patented, pending, abandoned)</u>
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New York, NY 10151

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INVENTOR(S):

Signature: \_\_\_\_\_  
Full name of sole or first inventor:  
JOHN ROBERT TAGG  
Residence: 39 Braeview Crescent, Dunedin, New Zealand  
Citizenship: Australia

Date: \_\_\_\_\_

Signature: \_\_\_\_\_  
Full name of 2nd joint inventor (if any):  
KAREN PATRICIA DIERKSEN  
Residence: c/o- 3450 SW Campus Way, Corvallis, OR 97331-8539,  
United States of America  
Citizenship: United States

Date: \_\_\_\_\_

Signature: M/U  
Full name of 3rd joint inventor (if any):  
MATHEW UPTON  
Residence: ~~Flat 1, 15 Peacock Street, Christchurch, New Zealand~~ 1/23 OLD LANSDOWN RD  
Citizenship: Britain MANCHESTER, M20 2PB, UK.

Date: 11-10-01

Post Office Address(es) of inventors [if different from residence]:

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INVENTOR(S):

Signature: \_\_\_\_\_

Full name of sole or first inventor: \_\_\_\_\_

JOHN ROBERT TAGG

Residence: 39 Braeview Crescent, Dunedin, New Zealand

Citizenship: Australia

Date: 4 October 2001

Signature: \_\_\_\_\_

Full name of 2nd joint inventor (if any):

KAREN PATRICIA DIERKSEN

Residence: c/o- 3450 SW Campus Way, Corvallis, OR 97331-8539,

United States of America

Citizenship: United States

Date: \_\_\_\_\_

Signature: \_\_\_\_\_

Full name of 3rd joint inventor (if any):

MATHEW UPTON

Residence: Flat 1, 15 Peacock Street, Christchurch, New Zealand

Citizenship: Britain

Date: \_\_\_\_\_

Post Office Address(es) of inventors [if different from residence]:

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UNITED STATES  
PATENT AND  
TRADEMARK OFFICE

MARCH 07, 2002

FROMMER LAWRENCE AND HAUG LLP  
WILLIAM F. LAWRENCE  
745 FIFTH AVENUE  
NEW YORK, NEWYORK 10151

PTAS

2002 MAR 12 A 10:46  
FROMMER, LAWRENCE  
& HAUG, L

Chief Information Officer  
Washington, DC 20231  
www.uspto.gov



\*101946788A\*

UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 12/21/2001

REEL/FRAME: 012451/0850  
NUMBER OF PAGES: 2

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

UPTON, MATHEW

DOC DATE: 10/11/2001

ASSIGNEE:

UNIVERSITY OF OTAGO  
LEITH STREET  
DUNEDIN, NEW ZEALAND

DOCKETED

ASSIGNEE:

BLIS TECHNOLOGIES LIMITED  
LEVEL 10  
OTAGO HOUSE 481 MORAY PLACE  
DUNEDIN, NEW ZEALAND

SERIAL NUMBER: 09913763  
PATENT NUMBER:

FILING DATE: 12/21/2001  
ISSUE DATE:

012451/0850 PAGE 2

SEDLEY PYNE, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS



0015-2002



101946788

OVER SHEET  
ILY

PTO/PCT Rec'd DEC 2001

12/21/01

FROMMER LAWRENCE & HAUG LLP  
745 Fifth Avenue  
New York, New York 10151  
(212) 588-0800  
File No.: 512585-2001

Applicant : Tagg et al.  
For : LANTIBIOTIC  
Filing Date : August 17, 2001

Assistant Commissioner for Patents

Name of Conveying Party(ies): 1) Mathew Upton

2. Name and address of receiving party(ies): University of Otago, Leith  
Street, Dunedin, New Zealand and BLIS Technologies Limited, Level 10, Otago House,  
481 Moray Place, Dunedin, New Zealand

3. Nature of Conveyance: Assignment (1)

■ Application No. or Patent No.: 09/913,763  
~~This document is being filed together with a new application. The~~  
execution date of this Assignment for inventor 1) October 11, 2001

5. Name and address of party to whom the recorded assignment and any  
correspondence concerning document should be mailed:

William F. Lawrence, Registration No. 28,029  
Frommer Lawrence & Haug LLP  
745 Fifth Avenue  
New York, New York 10151

6. Total number of applications and patents involved: 1

7. Total Fee (37 CFR 3.41): \$ 40.00

■ Fee enclosed, Check No. 019155.

8. ☐ Charge Fee Deposit Account No.: 50-0320 (Attach duplicate copy of  
this page if paying by deposit account).

If any additional fee is required, authorization is hereby  
given to charge Deposit Account No. 50-0320.

9. Statement and Signature.

The assignment documents were reviewed and to the best of the  
assignee's knowledge and belief, title is in the assignee seeking  
this action.

To the best of my knowledge and belief, the foregoing  
information is true and correct and any attached copy is a  
true copy of the original document.

Name of Person Signing: William F. Lawrence, Reg. No. 28,029

Date: December 25, 2001

03/2002 LLANDGRA 00000043 09913763

FC:581

40.00 OP

**INVENTION/PATENT APPLICATION ASSIGNMENT**  
**FROM INVENTOR(S) TO COMPANY**

WHEREAS Mathew Upton, Flat 1, 15 Peacock Street, Christchurch, New Zealand, have made a certain new and useful invention as set forth in an application for United States Letters Patent, entitled: **LANTIBIOTIC**, executed by me on the date of execution of this document, as shown below, and filed concurrently herewith;

OR

for which an application for United States Letters Patent was filed on August 17, 2001 and identified by United States Serial No. **09/913,763**;

AND WHEREAS, the University of Otago, Leith Street, Dunedin, New Zealand and BLIS Technologies Limited, Level 10, Otago House, 481 Moray Place, Dunedin, New Zealand, hereinafter referred to as assignees, are desirous of acquiring my entire right, title and interest in and to said invention and in and to any and all Letters Patent of the United States and foreign countries that may be obtained therefor;

NOW, THEREFORE, for good and valuable consideration, the receipt for and sufficiency of which is hereby acknowledged, I do hereby sell, assign, transfer and set over unto said assignees, their legal representatives, successors, and assigns, my entire right, title and interest in and to said invention as set forth in the above-mentioned application, including any continuations, continuations-in-part, divisions, reissues, re-examinations or extensions thereof, and in and to any and all patents of the United States and foreign countries that may be issued for said invention;

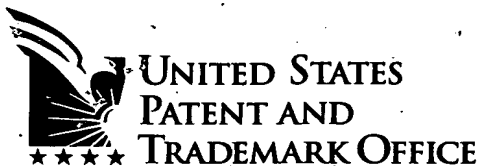
UPON SAID CONSIDERATIONS, I hereby agree with the said assignee that I will not execute any writing or do any act whatsoever conflicting with these presents, and that We will, at any time upon request, without further or additional consideration but at the expense of said assignees, execute such additional assignments and other writings and do such additional acts as said assignees may deem necessary or desirable to perfect the assignee's enjoyment of this grant, and render all necessary assistance in making application for and obtaining original, divisional, continuations, continuations-in-part, reexamined, reissued, or extended Letters Patent of the United States or of any and all foreign countries on said invention, and in enforcing any rights or choses in action accruing as a result of such applications or patents, by giving testimony in any proceedings or transactions involving such applications or patents, and by executing preliminary statements and other affidavits, it being understood that the foregoing covenant and agreement shall bind, and inure to the benefit of the assigns and legal representatives of assignor and assignees;

AND I request the Commissioner of Patents and Trademarks to issue any Letters Patent of the United States that may be issued for said invention to said assignee, its legal representatives, successors or assigns, as the sole owners of my entire right, title and interest in and to said patent and the invention covered thereby.

This assignment is effective on: \_\_\_\_\_

11-10-01  
Date signed: \_\_\_\_\_

Mathew Upton  
Signature: Mathew Upton



MAY 06, 2002

PTAS

FROMMER LAWRENCE AND HAUG LLP  
WILLIAM F. LAWRENCE  
745 FIFTH AVENUE  
NEW YORK, NEWYORK 10151

Commissioner for Trademarks  
Arlington, VA 22202-3513  
[www.uspto.gov](http://www.uspto.gov)

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UPTON, MATHEW

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DUNEDIN, NEW ZEALAND

ASSIGNEE:

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The assignment documents were reviewed and to the best of the  
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To the best of my knowledge and belief, the foregoing  
information is true and correct and any attached copy is a  
true copy of the original document.

Name of Person Signing:

*William F. Lawrence*, Reg. No. 37,514  
William F. Lawrence, Reg. No. 28,029

Date: December 25, 2001

00043508.DOC

PATENT  
512585-2001

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NOW, THEREFORE, for good and valuable consideration, the receipt for and sufficiency of which is hereby acknowledged, I do hereby sell, assign, transfer and set over unto said assignees, their legal representatives, successors, and assigns, my entire right, title and interest in and to said invention as set forth in the above-mentioned application, including any continuations, continuations-in-part, divisions, reissues, re-examinations or extensions thereof, and in and to any and all patents of the United States and foreign countries that may be issued for said invention;

UPON SAID CONSIDERATIONS, I hereby agree with the said assignee that I will not execute any writing or do any act whatsoever conflicting with these presents, and that We will, at any time upon request, without further or additional consideration but at the expense of said assignees, execute such additional assignments and other writings and do such additional acts as said assignees may deem necessary or desirable to perfect the assignee's enjoyment of this grant, and render all necessary assistance in making application for and obtaining original, divisional, continuations, continuations-in-part, reexamined, reissued, or extended Letters Patent of the United States or of any and all foreign countries on said invention, and in enforcing any rights or choses in action accruing as a result of such applications or patents, by giving testimony in any proceedings or transactions involving such applications or patents, and by executing preliminary statements and other affidavits, it being understood that the foregoing covenant and agreement shall bind, and inure to the benefit of the assigns and legal representatives of assignor and assignees;

AND I request the Commissioner of Patents and Trademarks to issue any Letters Patent of the United States that may be issued for said invention to said assignee, its legal representatives, successors or assigns, as the sole owners of my entire right, title and interest in and to said patent and the invention covered thereby.

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11-10-01  
Date signed: \_\_\_\_\_

  
Signature: Mathew Upton

RECORDED: 12/21/2001

PATENT  
REEL: 012451 FRAME: 0851

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Tagg et al.  
Serial No. : 09/913,763  
Filed : August 17, 2001  
For : LANTIBIOTIC  
Unit : 1651  
Examiner : Michael V. Meller  
Confirmation  
No. : 5286

745 Fifth Avenue  
New York, New York 10151

I hereby certify that this correspondence is being deposited with  
the United States Postal Service as first class mail in an envelope  
addressed to: Assistant Commissioner for Patents, Washington,  
DC 20231, on April 8, 2002

William F. Lawrence, Reg. No. 28,029

Name of Applicant, Assignee or Registered Representative

*William F. Lawrence*  
Signature

April 8, 2002

Date of Signature

COMMUNICATION TO CORRECT NOTICE OF RECORDATION OF  
ASSIGNMENT DOCUMENTS

U.S. Patent and Trademark Office  
Assignment Division, Box Assignments  
CG-4, 1213 Jefferson Davis Hwy,  
Suite 320  
Washington, D.C. 20231

Attn: Examiner Dorothy Basma, Assignment Division, Office of Public Records

Dear Ms. Basma:

On December 21, 2001, we filed two assignment documents in connection with this patent  
application to be recorded in the USPTO. One assignment was from Mathew Upton to the

University of Otago and BLIS Technologies Limited and the other assignment was from John Robert Tagg and Karen Patricia Dierksen to University of Otago. On April 1, 2002 we received a Notice of Recordation of Assignment Document dated March 21, 2002, reel/frame 012451/0850 from Mathew Upton to the University of Otago and BLIS Technologies Limited. We did not receive a Notice of Recordation for the assignment from John Robert Tagg and Karen Patricia Dierksen to University of Otago. According to information that we received from the PTO, the Tagg and Dierksen assignment was not yet recorded, even though the check to the PTO for the recordal fee was deposited by the PTO.

Attached to the recordation notice for the Upton assignment was the assignment document from John Robert Tagg and Karen Patricia Dierksen to the University of Otago. The page of that assignment with John Robert Tagg's signature was missing. Also missing was the entire assignment document from Mathew Upton to the University of Otago and BLIS Technologies Limited.

We request the following:

- 1) Return of the original assignment document from Mathew Upton to the University of Otago and BLIS Technologies Limited;
- 2) Recordation of the assignment from John Robert Tagg and Karen Patricia Dierksen to the University of Otago. A copy of the assignment, the Patent Recordation Form Cover Sheet and a copy of the check in the amount of \$40.00 to cover the recording fee is attached; and
- 3) Return of the original signature page of Tagg from the Tagg and Dierksen assignment to the University of Otago.

For your information, we attach a copy of the Notice of Recordation of Assignment Document and the Tagg and Dierksen assignment without the Tagg signature page mailed by the PTO on



March 21, 2002 and received by us on April 1, 2002.

Please return the recorded documents and missing original documents to the undersigned.

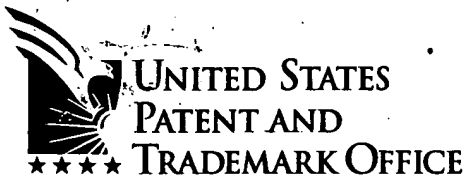
Respectfully submitted,

FROMMER LAWRENCE & HAUG LLP

Attorneys for Applicant

By: 

William F. Lawrence  
Registration No. 28,029  
745 Fifth Avenue  
New York, New York 10151



MAY 06, 2002

FROMMER LAWRENCE & HAUG LLP  
WILLIAM F. LAWRENCE  
745 FIFTH AVENUE  
NEW YORK, NEW YORK 10151

MAY 14 4 10 11  
PTAS

FROMMER, LAWRENCE  
& HAUG, LLP

Commissioner for Trademarks  
Arlington, VA 22202-3513  
www.uspto.gov



\*102075716A\*

UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 12/20/2001

REEL/FRAME: 012655/0951  
NUMBER OF PAGES: 3

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

TAGG, JOHN ROBERT

DOC DATE: 10/04/2001

ASSIGNOR:

DIERKSEN, KAREN PATRICIA

DOC DATE: 10/04/2001

ASSIGNEE:

OTAGO, UNIVERSITY OF  
LEITH STREET  
DUNEDIN, NEW ZEALAND

SERIAL NUMBER: 09913763  
PATENT NUMBER:

FILING DATE: 12/21/2001  
ISSUE DATE:

ALLYSON PURNELL, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS

DOCKETED

RECORDATION FORM COVER SHEET  
PATENTS ONLY

FROMMER LAWRENCE & HAUG LLP  
745 Fifth Avenue  
New York, New York 10151  
(212) 588-0800  
File No.: 512585-2001

Applicant : Tagg et al.  
For : LANTIBIOTIC  
Filing Date : August 17, 2001  
Assistant Commissioner for Patents

05-06-2002



102075716

Name of Conveying Party(ies): 1) John Robert Tagg 2) Karen Patricia Dierksen

2. Name and address of receiving party(ies): University of Otago, Leith  
Srteet, Dunedin, New Zealand

3. Nature of Conveyance: Assignment (1)

■ Application No. or Patent No.: 09/913,763  
~~This document is being filed together with a new application.~~ The  
execution date of this Assignment for inventor 1) October 4, 2001  
2) October 4, 2001

5. Name and address of party to whom the recorded assignment and any  
correspondence concerning document should be mailed:  
William F. Lawrence, Registration No. 28,029  
Frommer Lawrence & Haug LLP  
745 Fifth Avenue  
New York, New York 10151

6. Total number of applications and patents involved: 1

7. Total Fee (37 CFR 3.41): \$ 40.00  
■ Fee enclosed, Check No. 019154.

8. ☐ Charge Fee Deposit Account No.: 50-0320 (Attach duplicate copy of  
this page if paying by deposit account).  
If any additional fee is required, authorization is hereby  
given to charge Deposit Account No. 50-0320.

9. Statement and Signature.  
The assignment documents were reviewed and to the best of the  
assignee's knowledge and belief, title is in the assignee seeking  
this action.

To the best of my knowledge and belief, the foregoing  
information is true and correct and any attached copy is a  
true copy of the original document.

Name of Person Signing: William F. Lawrence Reg. No. 28,029  
William F. Lawrence, Reg. No. 28,029

Date: December 25, 2001

Free OK

**INVENTION/PATENT APPLICATION ASSIGNMENT**  
**FROM INVENTOR(S) TO COMPANY**

WHEREAS WE John Robert Tagg, 39 Braeview Crescent, Dunedin, New Zealand; and Karen Patricia Dierksen, 3450 SW Campus Way, Corvallis, Oregon, 97331-8539, United States, have made a certain new and useful invention as set forth in an application for United States Letters Patent, entitled: **LANTIBIOTIC**, executed by us on the date of execution of this document, as shown below, and filed concurrently herewith;

OR

for which an application for United States Letters Patent was filed on August 17, 2001 and identified by United States Serial No. 09/913,763;

AND WHEREAS, the University of Otago, Leith Street, Dunedin, New Zealand, hereinafter referred to as assignee, is desirous of acquiring our entire right, title and interest in and to said invention and in and to any and all Letters Patent of the United States and foreign countries that may be obtained therefor;

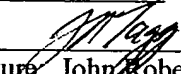
NOW, THEREFORE, for good and valuable consideration, the receipt for and sufficiency of which is hereby acknowledged, We do hereby sell, assign, transfer and set over unto said assignee, its legal representatives, successors, and assigns, our entire right, title and interest in and to said invention as set forth in the above-mentioned application, including any continuations, continuations-in-part, divisions, reissues, re-examinations or extensions thereof, and in and to any and all patents of the United States and foreign countries that may be issued for said invention;

UPON SAID CONSIDERATIONS, We hereby agree with the said assignee that We will not execute any writing or do any act whatsoever conflicting with these presents, and that We will, at any time upon request, without further or additional consideration but at the expense of said assignee, execute such additional assignments and other writings and do such additional acts as said assignee may deem necessary or desirable to perfect the assignee's enjoyment of this grant, and render all necessary assistance in making application for and obtaining original, divisional, continuations, continuations-in-part, reexamined, reissued, or extended Letters Patent of the United States or of any and all foreign countries on said invention, and in enforcing any rights or choses in action accruing as a result of such applications or patents, by giving testimony in any proceedings or transactions involving such applications or patents, and by executing preliminary statements and other affidavits, it being understood that the foregoing covenant and agreement shall bind, and inure to the benefit of the assigns and legal representatives of assignor and assignee;

AND We request the Commissioner of Patents and Trademarks to issue any Letters Patent of the United States that may be issued for said invention to said assignee, its legal representatives, successors or assigns, as the sole owner of our entire right, title and interest in and to said patent and the invention covered thereby.

This assignment is effective on: \_\_\_\_\_

4 October 2001  
Date signed: \_\_\_\_\_

  
Signature: John Robert Tagg

\_\_\_\_\_  
Date signed: \_\_\_\_\_

\_\_\_\_\_  
Signature: Karen Patricia Dierksen

**INVENTION/PATENT APPLICATION ASSIGNMENT**  
**FROM INVENTOR(S) TO COMPANY**

WHEREAS WE John Robert Tagg, 39 Braeview Crescent, Dunedin, New Zealand, and Karen Patricia Dierksen, 3450 SW Campus Way, Corvallis, Oregon, 97331-8539, United States, have made a certain new and useful invention as set forth in an application for United States Letters Patent, entitled: **LANTIBIOTIC**, executed by us on the date of execution of this document, as shown below, and filed concurrently herewith;

OR

for which an application for United States Letters Patent was filed on August 17, 2001 and identified by United States Serial No. 09/913,763;

AND WHEREAS, the University of Otago, Leith Street, Dunedin, New Zealand, hereinafter referred to as assignee, is desirous of acquiring our entire right, title and interest in and to said invention and in and to any and all Letters Patent of the United States and foreign countries that may be obtained therefor;

NOW, THEREFORE, for good and valuable consideration, the receipt for and sufficiency of which is hereby acknowledged, We do hereby sell, assign, transfer and set over unto said assignee, its legal representatives, successors, and assigns, our entire right, title and interest in and to said invention as set forth in the above-mentioned application, including any continuations, continuations-in-part, divisions, reissues, re-examinations or extensions thereof, and in and to any and all patents of the United States and foreign countries that may be issued for said invention;

UPON SAID CONSIDERATIONS, We hereby agree with the said assignee that We will not execute any writing or do any act whatsoever conflicting with these presents, and that We will, at any time upon request, without further or additional consideration but at the expense of said assignee, execute such additional assignments and other writings and do such additional acts as said assignee may deem necessary or desirable to perfect the assignee's enjoyment of this grant, and render all necessary assistance in making application for and obtaining original, divisional, continuations, continuations-in-part, reexamined, reissued, or extended Letters Patent of the United States or of any and all foreign countries on said invention, and in enforcing any rights or choses in action accruing as a result of such applications or patents, by giving testimony in any proceedings or transactions involving such applications or patents, and by executing preliminary statements and other affidavits, it being understood that the foregoing covenant and agreement shall bind, and inure to the benefit of the assigns and legal representatives of assignor and assignee;

AND We request the Commissioner of Patents and Trademarks to issue any Letters Patent of the United States that may be issued for said invention to said assignee, its legal representatives, successors or assigns, as the sole owner of our entire right, title and interest in and to said patent and the invention covered thereby.

This assignment is effective on: \_\_\_\_\_

Date signed: October 4, 2001  
Date signed: \_\_\_\_\_

Signature: John Robert Tagg  
Karen Patricia Dierksen  
Signature: Karen Patricia Dierksen

**INVENTION/PATENT APPLICATION ASSIGNMENT**  
**FROM INVENTOR(S) TO COMPANY**

WHEREAS WE John Robert Tagg, 39 Braeview Crescent, Dunedin, New Zealand, and Karen Patricia Dierksen, 3450 SW Campus Way, Corvallis, Oregon, 97331-8539, United States, have made a certain new and useful invention as set forth in an application for United States Letters Patent, entitled: **LANTIBIOTIC**, executed by us on the date of execution of this document, as shown below, and filed concurrently herewith;

OR

for which an application for United States Letters Patent was filed on August 17, 2001 and identified by United States Serial No. 09/913,763;

AND WHEREAS, the University of Otago, Leith Street, Dunedin, New Zealand, hereinafter referred to as assignee, is desirous of acquiring our entire right, title and interest in and to said invention and in and to any and all Letters Patent of the United States and foreign countries that may be obtained therefor;

NOW, THEREFORE, for good and valuable consideration, the receipt for and sufficiency of which is hereby acknowledged, We do hereby sell, assign, transfer and set over unto said assignee, its legal representatives, successors, and assigns, our entire right, title and interest in and to said invention as set forth in the above-mentioned application, including any continuations, continuations-in-part, divisions, reissues, re-examinations or extensions thereof, and in and to any and all patents of the United States and foreign countries that may be issued for said invention;

UPON SAID CONSIDERATIONS, We hereby agree with the said assignee that We will not execute any writing or do any act whatsoever conflicting with these presents, and that We will, at any time upon request, without further or additional consideration but at the expense of said assignee, execute such additional assignments and other writings and do such additional acts as said assignee may deem necessary or desirable to perfect the assignee's enjoyment of this grant, and render all necessary assistance in making application for and obtaining original, divisional, continuations, continuations-in-part, reexamined, reissued, or extended Letters Patent of the United States or of any and all foreign countries on said invention, and in enforcing any rights or choses in action accruing as a result of such applications or patents, by giving testimony in any proceedings or transactions involving such applications or patents, and by executing preliminary statements and other affidavits, it being understood that the foregoing covenant and agreement shall bind, and inure to the benefit of the assigns and legal representatives of assignor and assignee;

AND We request the Commissioner of Patents and Trademarks to issue any Letters Patent of the United States that may be issued for said invention to said assignee, its legal representatives, successors or assigns, as the sole owner of our entire right, title and interest in and to said patent and the invention covered thereby.

This assignment is effective on: \_\_\_\_\_

Date signed: October 4, 2001  
Date signed: \_\_\_\_\_

Signature: John Robert Tagg  
Karen Patricia Dierksen  
Signature: Karen Patricia Dierksen